

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

IVAN ARMIJO,

Plaintiff,

v.

Civ. No. 20-355 GBW/SMV

BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF SOCORRO, *et al.*,

Defendants.

**ORDER GRANTING**  
**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT FOR STATE CLAIMS**  
**ARISING OUT OF SECTION 41-4-9 OF THE NEW MEXICO TORT CLAIMS ACT**

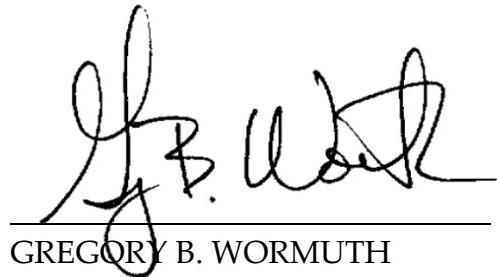
THIS MATTER comes before the Court on Defendants' Motion for Summary Judgment for State Claims Arising out of Section 41-4-9 of the New Mexico Tort Claims Act. *Doc. 5.* Having reviewed the Motion and Plaintiff's Response (*doc. 34*), in which Plaintiff stipulated that he "does not oppose entry of summary judgment ... dismissing [his] claims arising under § 41-4-9 of the New Mexico Tort Claims Act," the Court GRANTS the Motion.<sup>1</sup>

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<sup>1</sup> The Court notes that the matters of Defendants' Motion to Dismiss of Plaintiff's Claims Arising out of Sections 41-4-6 and 41-4-10 of the New Mexico Tort Claims Act (*doc. 4*) and Plaintiff's Motion to Amend/Correct Complaint (*doc. 14*) are still pending before it and does not yet rule as to these matters.

IT IS HEREBY ORDERED that Defendants' Motion for Summary Judgment is GRANTED, and all of Plaintiff's claims arising out of Section 41-4-9 of the New Mexico Tort Claims Act are DISMISSED with prejudice.

**IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read "GREGORY B. WORMUTH".

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GREGORY B. WORMUTH  
UNITED STATES MAGISTRATE JUDGE  
Presiding by Consent